

REMARKS

In the outstanding Official Action, claims 38-69 were rejected under 35 U.S.C. §112, first paragraph. Claims 58-60 were rejected under 35 U.S.C. §112, second paragraph. Claims 38-69 were rejected under 35 U.S.C. §102(b) over COLLINS (U.S. Patent No. 2,558,238).

Initially, Applicants would like to thank the Examiner for his courtesy in discussing the present application with Applicants' representative, Joshua M. Povsner, on May 1, 2006, and coordinating an upcoming personal interview with Applicants' representative and an inventor, Gus Nathan, on July 31, 2006 at 2:00 PM EDT.

Upon entry of the present amendment, Applicants will have added two paragraphs of written description to the specification, amended claims 38, 47-49, 51, 58 and 59, and added new claims 70-71. The herein-contained amendments and new claims should not be considered an indication of Applicants' acquiescence as to the propriety of the outstanding rejections. Rather, Applicants have amended the claims in order to expedite prosecution of the present application and obtain early allowance of the claims.

Applicants traverse the rejection under 35 U.S.C. §112, first paragraph. In this regard, upon entry of the present paper, Applicants will have added two paragraphs to the written description. The added paragraphs are entirely directed to a description of the features directly shown in the original figures as filed. Accordingly, Applicants submit that the added paragraphs do not add new matter to the present application.

The herein contained new paragraphs also provide direct written description for

the various features which the Official Action characterized as lacking written description in the specification. In view of the herein-contained paragraphs added to the written description, Applicants respectfully request reconsideration and withdrawal of the rejection under 35 U.S.C. §112, first paragraph.

Additionally, Applicants note that the features of claim 38 which were characterized as lacking written description have now been cancelled from claim 38, and corresponding features have been presented in new claims 70 and 71. Therefore, if the rejection under 35 U.S.C. §112, first paragraph is maintained for any reason, Applicants submit that the rejection should only apply to new claims 70 and 71, in view of the amendment to claim 38 and the addition of new claims 70 and 71.

Applicants traverse the rejection under 35 U.S.C. §112, second paragraph. In this regard, each of claims 38, 58 and 59 have been amended. Claim 38 recites "a first fluid inlet disposed at an opposite end of said chamber from said bluff body". The amendment to claim 38 also provides antecedent basis for the noted recitation of claim 58. Further, claim 59 has been revised to clarify that "the spacing ~~h-of~~ to an opening of the first fluid inlet from said ~~opposite end~~ bluff body satisfies the relationship  $0 < h/L < 1$  where L is the distance from the opposite end to the bluff body". In view of the herein contained amendments to claims 38, 58 and 59, Applicants respectfully request reconsideration and withdrawal of the rejection under 35 U.S.C. §112, second paragraph.

Applicants traverse the rejection under 35 U.S.C. §102(b). With respect to the rejection of claim 38, COLLINS discloses two separate embodiments in Figures 1-2 and

Figures 3-4. In this regard, COLLINS is directed to a non-splash discharge nozzle tip which eliminates splashing of liquid as it flows from the end of the tip. Accordingly, COLLINS is not directed to "fluid mixing device".

Further, Applicants have amended the structural limitations of claim 38 to more clearly define the fluid mixing device recited therein. In this regard, the Official Action asserted that COLLINS discloses the claimed "bluff body" with elements of the straightener 13. Applicants submit that the herein-contained amendments distinguish the claimed bluff body from elements of the straightener 13 (i.e., elements 15-19) in COLLINS, and therefore submit that the straightener 13 does not disclose or suggest the "bluff body" as recited in claim 38.

Additionally, no element of the straightener 13 in COLLINS defines "at least one second fluid inlet to said chamber" or "at least one mixed fluid outlet from said chamber". Rather, the characteristics attributed in the Official Action to COLLINS are not disclosed by COLLINS, as the tip nozzle is only disclosed and intended for discharging liquid from the end of the tip which includes the straightener 13.

Applicants particularly note that amended claim 38 recites "a first fluid inlet disposed at an opposite end of said chamber from said bluff body and arranged to direct a jet fluid flow into the chamber toward said bluff body" as well as "at least one second fluid inlet to said chamber defined by said flow divider in said region substantially surrounding said bluff body and arranged to direct a fluid flow opposing the jet fluid flow into the chamber". There is no disclosure in COLLINS of such a first fluid inlet and at least one second fluid inlet as

recited in claim 38, at least because there is no disclosure in COLLINS that such opposing flows would result from a first fluid inlet and at least one second fluid inlet as recited in claim 38.

Accordingly, Applicants submit that the combination of features recited in claim 38 are not disclosed or suggested by COLLINS, at least because COLLINS does not disclose or suggest "each and every" feature of this claim, as would be required for the rejection of claim 38 under 35 U.S.C. §102 to be proper.

At least for each and all of the reasons set forth above, Applicants respectfully submit that claim 38 is allowable. Applicants further submit that claims 39-71 are allowable at least for depending, directly or indirectly, from an allowable independent claim, as well as for additional reasons related to their own recitations.

SUMMARY AND CONCLUSION

Applicants have made a sincere effort to place the present application in condition for allowance and believe that they have now done so. Applicants have amended the claims and explained specific features of the claimed combination which are not disclosed, suggested or rendered obvious by the references applied in the outstanding Official Action.

The amendments to the claims which have been made in this amendment, which have not been specifically noted to overcome a rejection based upon the prior art, should be considered to have been made for a purpose unrelated to patentability, and no estoppel should be deemed to attach thereto.

Should there be any comments regarding this Response of the present application, the Examiner is invited to contact the undersigned at the below-listed telephone number.

Respectfully submitted,  
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